



ACT
Government

Environment, Planning and
Sustainable Development

Phone: 02 6207 1923
Reference: 21/145299

Dear [REDACTED]

Freedom of Information 21/145299

I refer to your application made under section 30 of the *Freedom of Information Act 2016* (the Act) received by Environment, Planning and Sustainable Development Directorate (EPSDD) on 29 November 2021, in which you sought access to documents relating to communications between EPSDD and the National Capital Authority (NCA).

Specifically, you are seeking :

"I am requesting information via FOI regarding any communication provided by the EDP to the National Capital Authority that might have informed the temporary traffic management plan that has been authorised for construction at 71 Constitution Avenue. Specifically I need any communication regarding public safety aspects that would impact the street at Getting Crescent which is now totally unsafe for pedestrians and cyclists. Although the NCA had authority and granted the TTMP, they were required to consult the EDP and I need any records of this consultation. So far, my contact with EDP has been with Zebedee Mahoney | Team Leader – DA Lodgement who simply forwarded my request for information to the NCA. I attach the authorised TTMP for clarification of the site and details."

I am an Information Officer appointed under section 18 of the Act to deal with access applications made under Part 5 of the Act.

EPSDD is required to make a decision regarding your application on or by 29 December 2021.

Searches Conducted

Comprehensive searches of EPSDD recordkeeping systems were undertaken. However, no documentation containing information relevant to your application was identified.

On 15 December 2021, additional information was provided to you in response to your queries regarding consultation requirements.

Decision on Access

I am satisfied that a thorough process was completed in an effort to locate the information you are seeking. I have therefore decided, under section 35(1)(b) of the Act, that no documents are held by EPSDD that are relevant to your application.

Online Publication

Under section 28 of the Act, EPSDD maintains an online record of access applications called a disclosure log. Your access application and my decision will be published in the EPSDD disclosure log no earlier than three days after you receive this decision. Your personal information will not be published.

You may view the EPSDD's disclosure log at:

<https://www.environment.act.gov.au/about-us/access-government-information/disclosure-log>

Ombudsman Review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in the disclosure log, or a longer period allowed by the Ombudsman. For more information and the application form for Ombudsman review, please visit:

https://www.ombudsman.act.gov.au/data/assets/pdf_file/0026/79190/Apply-for-Ombudsman-review.pdf

Alternately, you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Via email: actfoi@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) Review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision.

Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore St
GPO Box 370
Canberra City ACT 2601

Telephone: (02) 6207 1740

<http://www.acat.act.gov.au/>

Further Information

If you have any queries concerning the Directorate's processing of your request, or would like further information, please contact EPSDD Customer Service on 02 6207 1923 and ask for the FOI team, or email to EPSDFOI@act.gov.au

Yours sincerely

(Signed Electronically)

Craig Weller

Information Officer

A/g Executive Branch Manager, Statutory Planning

Environment, Planning and Sustainable Development Directorate

21 December 2021